

Application No.: 09/696274

Docket No.: SMQ-036

REMARKS

Applicant has amended claims 1-15, 17-18 and 21-22. Claims 1-27 are presently pending in the application.

Summary of the Claimed Invention

The claimed invention describes a process of dynamically locating and identifying network attached devices that are executing a common protocol with a remote control device interfaced with the network. In one implementation the network is located in a motor vehicle. Once identified, the common protocol is used to dynamically retrieve command codes for the network attached device. A user operating the remote control device is thus able to control the identified network devices using the dynamically retrieved codes. The dynamic location and identification of the additional network device followed by the dynamic retrieval of the command codes represents an improvement over the prior art which required the remote control device to be pre-configured with the location and command codes for the network attached device.

Claim Rejections Pursuant to 35 U.S.C. §102(e)

The Examiner in the Office Action of October 3, 2003 rejected claims 1-13 and 17-18 under 35 U.S.C. §102(e) as being anticipated by Humpleman et al (United States Patent No.: 6, 466, 971, hereafter "Humpleman"). In light of the amendments above and the comments below, Applicant respectfully traverses these objections.

Humpleman relates to a method and system for command and control among multiple devices operating on a network. Humpleman discusses a process whereby a first and second device are connected to the network and the second device stores an application interface description data in a structured format. The application interface description data is used for commanding and controlling the second device with other network devices. Humpleman further discusses application interface description data provided to the first device over the network and

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control and command data sent from the first device to the second device over the network utilizing the application interface description data to control the operation of the second device. **However, Humpleman does not teach, disclose or suggest the dynamic location, and identification of at least one additional device by a remote control device interfaced with the network that is executing a common protocol with the remote control device** (as required by amended independent claim 1, upon which claims 2-13 are dependent, and independent claim 17, upon which claim 18 is dependent).

The Examiner in summarizing Humpleman states that Humpleman discloses enabling the remote control device to dynamically locate and identify at least one of the additional devices (see second paragraph, page 3). The Examiner then lists 6 separate locations within Humpleman where this disclosure allegedly takes place. Applicant respectfully points out that in none of those indicated locations, or elsewhere in Humpleman for that matter, is the dynamic location and identification of the additional device running the common protocol disclosed. The six references are summarized in turn below.

The abstract discusses connecting a second device to the network, storing application interface data on the second device and providing the application interface data to the first device over the network. The location and identification of the second device by the first device are not mentioned. Column 2, lines 25-35 is in the background discussion and discusses the need for sets of devices to be controlled dynamically and for the sets of devices to interact. The location and identification of the devices is not mentioned. Column 2, lines 40-55 are in the Summary of the Invention and discusses the provision of the command and control data from the second network device to the first device. It also discusses the storage of the information on the first device or the query of other devices in the network for the information. It does not discuss the location and identification of the second device by the first device. Column 3, lines 9-29 discuss the transmission of user interface and command and control data from a first and second device on a home network. It does not discuss the dynamic location and identification of the devices. Column 8, lines 34-47 is the description for Figure 9. It (and Figure 9, the sixth reference) discuss/show an audio/video model with multiple devices. The dynamic location and identification of network devices running a common protocol is simply not disclosed during the discussion. Since all of the elements of the claims are not contained within the Humpleman

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reference, Humpleman cannot support a §102(e) rejection for claims 1-13 and 17-18. It should also be noted that although Applicant has amended independent claims 1 and 17 to further clarify the invention in this Amendment, the previous versions of claims 1 and 17 also required the dynamic location and identification of the additional network device by the remote control device and Humpleman simply does not disclose this element.

Claim Rejections Pursuant to 35 U.S.C. §103(a)

Claims 14-15 and 19 were rejected as being obvious based on Humpleman in view of Tagliabo (European patent No: 0549541, hereafter Tagliabo). In light of the Amendments above and the comments below, Applicant respectfully traverses these rejections.

Summary of Tagliabo

Tagliabo discusses a motor vehicle-based electrical connection network connected to the inputs of multiple devices and apparatus. Tagliabo discusses the use of a portable remote control device used to control devices and apparatus on the network. Tagliabo does not discuss the dynamic location and identification of network-based devices.

Amended independent claim 14, upon which claim 15 is dependent requires that the additional network device running the common protocol is dynamically located and identified. As pointed out above both Humpleman and Tagliabo lack this element of the claimed invention. Claim 19 is dependant upon claim 17 which was discussed above. As noted previously, Humpleman and Tagliabo both lack the element of the dynamic location and identification of the network device running the common protocol. Accordingly, the rejections of claim 14-15 and 19 should be withdrawn.

Claim 16 was rejected as being obvious based on Humpleman in view of Tagliabo in further view of Schneider et al (United States Patent No: 6, 304, 895, hereafter "Schneider et al"). In light of the Amendments above and the comments below, Applicant respectfully traverses these rejections.

Schneider et al was cited as disclosing a remote control device with a touch pad screen. However, as previously discussed, the combination of Humpleman and Tagliabo does not

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disclose the dynamic location and identification of the network device running the common protocol with the remote control device. Since Schneider et al also lacks this element, the combination of references cannot support the rejection and the rejection should be withdrawn.

Claim 20 was rejected as being obvious based on Humpleman in view of Schneider et al. In light of the Amendments above and the comments below, Applicant respectfully traverses these rejections.

Schneider et al was cited as disclosing a remote control device with a touch pad screen. However, as previously discussed, the combination of Humpleman and Tagliabo does not disclose the dynamic location and identification of the network device running the common protocol with the remote control device. Since Schneider et al also lacks this element, the combination of references cannot support the rejection and the rejection should be withdrawn.

Claim Rejections Pursuant to 35 U.S.C. §112

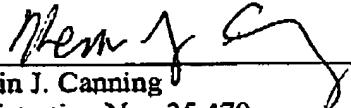
Although disagreeing with the Examiner's contention that the claimed limitation "handheld remote controller" is unsupported, Applicants have amended claims 21 and 22 to change "handheld remote controller" to "remote controller". Support for the limitation "remote controller" may be found throughout the detailed description. Accordingly, Applicants believe claims 21-27 are now in condition for allowance and the rejections directed to those claims should be withdrawn.

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In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Respectfully submitted,

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